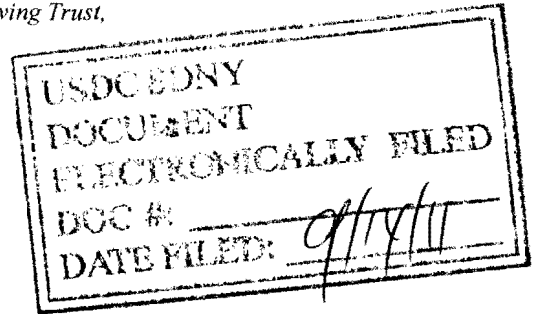


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The Phyllis Kugel Revocable Living Trust, The David L. Kugel Revocable Living Trust,
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Attorneys for defendants Craig Kugel and Heather Kugel



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

-v-

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee of the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

-v-

DAVID L. KUGEL, individually, as partner of the
David L. Kugel Partnership, as partner of the David
Kugel Partnership II, as trustee of the Phyllis Kugel
Revocable Living Trust, and as trustee of the David

CASE NO. 11-CV-4227 (JSR)

Adv. Pro. No. 08-01789 (BRL)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-04217 (BRL)

Kugel Trust,

PHYLLIS KUGEL, individually, as partner of the David L. Kugel Partnership, as partner of the David Kugel Partnership II, as trustee of the Phyllis Kugel Revocable Living Trust, and as trustee of the David Kugel Trust,

DAVID L. KUGEL PARTNERSHIP,

DAVID KUGEL PARTNERSHIP II,

CRAIG KUGEL, individually, as partner of the David L. Kugel Partnership, as partner of the David Kugel Partnership II, as trustee of the Phyllis Kugel Revocable Living Trust, and as trustee of the David Kugel Trust,

HEATHER KUGEL,

NTC & CO. LLP, as former custodian of an Individual Retirement Account for the benefit of David L. Kugel,

DELTA FUND I, L.P.,

DELTA VENTURES (CAYMAN), LTD.,

THE DAVID AND PHYLLIS KUGEL
IRREVOCABLE TRUST,

THE PHYLLIS KUGEL REVOCABLE LIVING
TRUST,

THE DAVID KUGEL TRUST,

CYNTHIA KUGEL,

[REDACTED] [C.K.₁], and

[REDACTED] [C.K.₂],

Defendants.

**STIPULATION OF WITHDRAWAL OF MOTION TO WITHDRAW THE
REFERENCE FILED BY DEFENDANTS DAVID L. KUGEL, PHYLLIS
KUGEL, DAVID L. KUGEL PARTNERSHIP, DAVID KUGEL
PARTNERSHIP II, CRAIG KUGEL, HEATHER KUGEL, THE PHYLLIS
KUGEL REVOCABLE LIVING TRUST, THE DAVID L. KUGEL
REVOCABLE LIVING TRUST, CYNTHIA KUGEL, C.K.₁ AND C.K.₂**

WHEREAS, the Moving Defendants¹ having commenced the instant proceeding before this Court on June 21, 2011 by the filing of a motion to withdraw the reference pursuant to 28 U.S.C. § 157 (the "Motion"), and

WHEREAS, no answer or other responsive pleading having been filed to the Motion; now, therefore

IT IS HEREBY STIPULATED pursuant to Rule 41 of the Federal Rules of Civil Procedure that the Moving Defendants hereby withdraw the Motion and dismiss the above-captioned proceeding before this Court.

Dated: September 9, 2011
New York, New York

Respectfully submitted,

Crowell & Moring LLP
*Attorneys for defendants David L. Kugel,
Phyllis Kugel, David L. Kugel Partnership,
David Kugel Partnership II,
The Phyllis Kugel Revocable Living Trust, The
David L. Kugel Revocable Living Trust,
Cynthia Kugel, C.K.₁, C.K.₂
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(212) 223-4000*

By /s/ Michael V. Blumenthal
Michael V. Blumenthal

¹ The Moving Defendants are David L. Kugel, Phyllis Kugel, David L. Kugel Partnership, David Kugel Partnership II, Craig Kugel, Heather Kugel, The Phyllis Kugel Revocable Living Trust, The David L. Kugel Revocable Living Trust, Cynthia Kugel, C.K.₁ and C.K.₂

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By: /s/ William Gogel
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(212) 589-4201

By: /s/ Nicholas J. Cremona
Nicholas J. Cremona

NYACTIVE-12177642.2

SO ORDERED:

[Signature]
U.S.D.J.
9-13-11